

**MINUTES OF THE  
OTTER TAIL COUNTY BOARD OF COMMISSIONERS  
Government Services Center, Commissioners' Room  
500 W. Fir Avenue, Fergus Falls, MN  
December 1, 2009  
9:15 a.m.**

**Call to Order**

The Otter Tail County Board of Commissioners convened Tuesday, December 1, 2009, at 9:15 a.m., at the Otter Tail County Government Services Center in Fergus Falls, MN, with Commissioners Everett Erickson, Chair; Roger Froemming, Vice-Chair; John Lindquist, Doug Huebsch and Lee Rogness present.

**Approval of Agenda**

Motion by Froemming, second by Huebsch, and unanimously carried to approve the Board of Commissioners agenda of December 1, 2009 with the following addition:

9:20 a.m. – Land & Resource Director Regarding Ditch #37

**Approval of Minutes**

Motion by Froemming, second by Rogness, and unanimously carried to approve the Board of Commissioners meeting minutes of November 24, 2009 as mailed.

**Approval to Pay Bills**

Motion by Lindquist, second by Rogness, and unanimously carried to approve payment of the County Board bills per Attachment A of these minutes.

**Drainage System #37**

Land & Resource Director, Bill Kalar stated that in May of 2009, the County Board authorized tile replacement in the area of Ditch #37 that leads to Onstad Lake. The pipes to complete the work were delivered on-site which may have prompted a phone call from Rick Gronner. Mr. Gronner expressed a concern with an area on the north end of Bass Lake. The tile between the town road and Bass Lake was replaced a few years ago. A problem exists with a portion of the tile between the town road and the wetland where the ground has opened up, tile was broken, and silt is getting into the tile. Mr. Gronner is concerned, that if the repair upstream is complete with more water going into Onstad Lake, there will be a back up of water (bottleneck) in the area of Ditch #37 before it flows into Bass Lake. The request is that the area downstream by Bass Lake be repaired at the same time as the original Ditch #37 repair upstream from Onstad Lake. Discussion took place. Motion by Huebsch, second by Rogness, and unanimously carried to authorize repair of the tile north of Bass Lake (indicated in red on the map provided) in addition to the original repair upstream from Onstad Lake (indicated in yellow on the map). If there are not enough funds in the Ditch #37 Maintenance Fund, the expenses will be paid out of the General Fund and later reimbursed by the Ditch #37 Fund.

**Proposed Watershed Area**

Wilkin County Commissioner, Lyle Hovland discussed his proposal of formation of a watershed district (map of the area was submitted) with a drainage area of the upper Red River of the North and the lower Otter Tail River. Other officials present for the discussion included:

WOTSWCD Manager, Brad Mergens; DNR Hydrologist, Terry Lejcher; Land & Resource Director, Bill Kalar; Wilkin County Engineer, Tom Richels; Otter Tail County Highway Engineer, Rick West; and Buffalo Red River Watershed District (BRRWD) Administrator, Bruce Albright

Mr. Hovland provided a brief history of the area. In 2007, Wilkin County identified the need for water drainage and management consistency throughout their county. The BRRWD includes the northern part of Wilkin County and the Bois de Sioux Watershed District is in the southern part of the county. The middle one-third of Wilkin County has experienced serious overland flooding over the past two years resulting in very extensive crop and road damage. This area does not have an official watershed. It contains nineteen legal ditch systems that total 157 miles of ditches to maintain.

Mr. Hovland explained that in 2008, the Wilkin County Board invited all township officials in the middle one-third of Wilkin County to a meeting. A committee was formed and after extensive research with the issues, the committee recommended that a watershed district would be the best alternative to deal with the water issues. Mr. Hovland stated that due to recent heavy rainfall and flooding, there is undue pressure on the Wilkin County Highway Department budget and he expressed a need for a separate entity. Mr. Hovland listed the following potential responsibilities of a watershed district:

- Protect public and private property from flooding
- Protect agricultural land from flood damage
- Improve water quality
- Control and manage drainage
- Ditch maintenance
- Redetermination of assessment for benefits

Lengthy discussion followed Mr. Hovland's presentation including:

- Boundary of watershed districts
- The proposed area is approximately 273,000 total acres with about 75% of the land in Wilkin County and 25% in Otter Tail County
- Representation on a watershed district board
- Process for appointment to a watershed district board
- Funding proposal – maximum that could be levied for this proposed district is \$250,000 with tax levied as a percentage of a resident's market value
- Grant funding possibilities for projects through an official watershed district
- Potential for the watershed district to become the drainage authority for ditch systems
- Expertise in water management available through an official district
- The need to identify benefits vs. cost of an official district for the residents affected
- Information and education process
- Negative side of watershed district may be additional permit(s) to obtain for projects which could slow down projects and some loss of county control

Motion by Lindquist, second by Rogness, and unanimously carried to approve proceeding with an exploratory and informational process regarding the proposal to create the Upper Red – Lower Otter Tail Watershed District. Commissioners identified WOTSWCD Manager, Brad Mergens as Otter Tail County's contact person for the proposal.

**Solid Waste Service Fee Increase**

Solid Waste Director, Mike Hanan briefed the Board on current revenues (tipping fees & service fees) for the disposal of solid waste. He explained that every Otter Tail County taxpayer is assessed a fee for service by a point system. The following groups are assessed using different calculations: residential, commercial, rural churches and town halls, apartment complexes and seasonal properties. Mr. Hanan reported that the County's waste flow almost doubles in the summer and the waste disposal facilities must be designed to handle maximum load during the highest times of the year. He recommended an increased solid waste service fee be assessed to seasonal properties to ensure enough revenue. Motion by Huebsch, second by Froemming, and unanimously carried to increase the solid waste service fee for seasonal recreational properties in Otter Tail County from 3 points to 5 points (\$42.50 per year) which is the same fee that is assessed to year around properties.

**Solid Waste Tipping Fees**

Motion by Froemming, second by Huebsch, and unanimously carried to approve the following Solid Waste Fee Schedule effective January 1, 2010:

<b>Items:</b>	<b>County Fee</b>	<b>State Assessment</b>	<b>Total</b>
<b>Mixed Municipal Waste/Household Waste:</b>			
Per Ton	\$ 61.11	\$ 10.39	\$ 71.50
Per Container (minimum)	2.14	0.36	2.50
Per Container (Standard sizes 20-35 gallons)	2.14	0.36	2.50
Per Bag (Oversized 35-45 gallon bags)	2.78	0.47	3.25
Cubic Yard (uncompacted)	10.08	1.72	11.80
Cubic Yard (compacted)	20.17	3.43	23.60
<b>Unsorted Waste Hauler Loads:</b>			
Per Ton	\$ 122.22	\$ 20.78	\$ 143.00
Sorting Cost Per Ton	33.61	5.72	39.33
<b>Unprotected Loads:</b>			
2.0 Times the Posted Rate			
<b>Demolition Debris:</b>			
Per Yard	\$ 8.00	\$ 0.60	\$ 8.60
Minimum (1/2 Yard)	4.00	0.30	4.30
Dump Truck (10 Yards)	80.00	6.00	86.00
<b>Electronics:</b>			
Microwaves	\$ 9.00	N/C	\$ 9.00
Computer Monitors	9.00	N/C	9.00
Computers (CPU's, Small Printers etc.)	5.00	N/C	5.00
Large Printers (Copy Machines, etc.)	9.00	N/C	9.00
Televisions < 19"	9.00	N/C	9.00
Televisions 19" or greater	12.00	N/C	12.00
<b>Whitegoods:</b>			
Major Appliances (stove, freezer, etc.)	\$ 9.00	N/C	\$ 9.00
Commercial Appliances (freezers, coolers, etc.)	50.00	N/C	50.00

<b>Batteries:</b>			
Car/Boat/Motorcycle	\$ 1.00	N/C	\$ 1.00
Truck/Tractor	4.00	N/C	4.00
Commercial	10.00	N/C	10.00
<b>Tires:</b>			
Passenger Car/Pickup	\$ 2.00	N/C	\$ 2.00
Semitruck/Trailer	5.00	N/C	5.00
Tractor (38 or smaller)	15.00	N/C	15.00
Tractor (Larger than 38)	25.00	N/C	25.00
Flotation Tire	50.00	N/C	50.00
<b>Miscellaneous:</b>			
Stuffed Chair	\$ 5.13	\$ 0.87	\$ 6.00
Sofa	10.26	1.74	12.00
Mattresses	10.26	1.74	12.00
Carpeting (per yard)	0.85	0.15	1.00
Propane Tanks (5-20-40 pounds)	4.00	N/C	4.00
<b>Scrap Iron &amp; Metal:</b>			
Refer to Local Scrap Dealer			
Minimum	1.00	N/C	1.00
Cubic Yard	2.50	N/C	2.50
Commercial (10 yards)	25.00	N/C	25.00
<b>Brush: (accept 3"-4" in diameter or less)</b>			
Pickup/Trailer (level box)	5.00	N/C	5.00
Dump Truck (10 yards)	20.00	N/C	20.00
Per Yard	2.00	N/C	2.00
<b>Non Otter Tail County Waste:</b>			
Non Otter Tail County Waste	3 times the county rate		
<b>Yard Waste:</b>			
Must be clean & free of contaminates	Free	Free	Free
<b>Haulers License Fees:</b>			
License Fee (base)	\$ 100.00	N/C	\$ 100.00
License Fee (per truck)	10.00	N/C	10.00
Bond	5,000.00	N/C	5,000.00
<b>Service Fee:</b>			
Per Service Fee Point	\$ 8.50	N/C	\$ 8.50
<b>Unprotected Loads:</b>			
2.0 Times the Posted Rate			

**Wadena County Agreement**

Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute the Service Contract for Solid Waste Management and shared Department Head Agreement with language added to review the contract annually.

**Joint Powers Agreement for Perham Resource Recovery Facility**

Motion by Huebsch, second by Lindquist, and unanimously carried to authorize the Chairman's signature to execute the Prairie Lakes Municipal Solid Waste Authority Joint Powers Agreement (PLMSWA) as presented. The agreement is between the counties of Becker, Otter Tail, Todd and Wadena for the ownership and operation of the Perham Resource Recovery Facility and cooperation in other efforts of solid waste management.

**Proposal for Cost Allocation Plans**

Motion by Rogness, second by Huebsch, and unanimously carried to accept the proposal of Government Management Group for the preparation of the County's 2009, 2010 and 2011 Cost Allocation Plans, in the amount of \$6,300 annually, as recommended by the Auditor.

**Payment Approvals**

Motion by Froemming, second by Lindquist, and unanimously carried to approve payment, in the amount of \$13,807.59, from the Otter Tail County Ditch Fund to Houston Engineering, Inc. for services provided to Otter Tail County Drainage System No. 16 during the period of October 12, 2009 through November 22, 2009.

**Fund Transfer**

Motion by Rogness, second by Lindquist, and unanimously carried to approve a transfer, in the amount of \$136,361.44, from the Capital Improvement Fund to the Road and Bridge Fund for the following expenditures previously approved by the Capital Improvement Committee:

2009 John Deere 624K Front End Loader	\$103,166.44	CB090818301005
Garage No. 1 (Install New Roof)	33,195.00	090728301004

**Dog Bite Hearings**

Motion by Froemming, second by Lindquist, and unanimously carried to approve the Findings of Fact and Order for the dog owned by Rebecca Frazier as presented by the County Attorney.

Motion by Lindquist, second by Rogness, and unanimously carried to approve the Findings of Fact and Order for the dog owned by Donny Lannes as presented by the County Attorney.

**Recess**

At 10:40 a.m., Chairman Erickson declared the meeting of the Otter Tail County Board of Commissioners recessed until 7:00 p.m., at which time, the Board of Commissioners will reconvene for the 2010 Budget and Property Tax Levy Hearing.

**Payable 2010 Budget and Property Tax Levy Hearing**

The Otter Tail County Board of Commissioners reconvened at 7:00 p.m. on Tuesday, December 1, 2009 for the purpose of discussing and receiving public comment regarding the proposed payable 2010 budget and property tax levy. Everett Erickson, Chair, called the Budget and Property Tax Levy Hearing to order with the following in attendance:

Commissioners: Everett Erickson, Roger Froemming, Doug Huebsch, John Lindquist, and Lee Rogness

County Staff: Steve Andrews, County Treasurer; John Dinsmore, Human Services Director; Bernie Gamber, Veterans Service Officer; David Hauser, County Attorney; Bill Kalar, Land and Resource Management Director; Chuck Kitzman, Probation Director; Larry Krohn, County Coordinator; Bob Moe, County Assessor; Wayne Stein, County Auditor; Rick Sytsma, Physical Plant Manager; Diane Thorson, Public Health Director; and Rick West, Highway Engineer

Daily Journal: Lisa Kaczke, Reporter

Public: 13 individuals signed the attendance roster; however, the secretary estimated that there were an additional 4 individuals in attendance who did not sign the roster

Everett Erickson, Chair, welcomed those in attendance and made introductory comments concerning the purpose and reason for this public hearing. The primary purpose of this meeting was to discuss the County's proposed Payable 2010 tax levy and the County's proposed Calendar Year 2010 Budget. It was noted that this public hearing was not for the purpose of discussing market values (estimated or taxable) and/or property classifications of specific properties.

Everett Erickson, Chair, then turned the meeting over to Wayne Stein, County Auditor, for presentation of the proposed payable 2010 budget and 2010 net tax levy. A copy of the presentation is on file in the County Auditor's office. Wayne Stein, County Auditor presented and briefly discussed the payable 2010 proposed net tax levy of \$29,452,670. This represents a \$1,907,203 increase or a 6.92% increase over the net tax levy for payable year 2009. It was noted that this amount excludes the proposed levy for the Housing and Redevelopment Authority, as well as for the lake improvement districts. The proposed payable 2010 net tax levy including these two special taxing districts would be \$30,019,110. This represents a \$2,003,093 increase or a 7.15% increase over the net tax levy for payable year 2009.

Wayne Stein, County Auditor presented and briefly discussed the proposed calendar year 2010 budget of \$69,979,284. It was noted that this is the total budget for both tax levied and non tax levied funds and includes inter-fund activities. This represents a modest decrease over the calendar year 2009 budget as originally adopted.

Wayne Stein, County Auditor, briefly discussed the increase in the net tax levy dollars, as well as the general budgetary revenue and expenditure categories of the County. There was a review of the outstanding long-term debt. There was a brief discussion of major items that are affecting the proposed payable 2010 budget and tax levy and additional steps that would be taken before final action would be taken by the County Board of Commissioners.

Everett Erickson, Chair, requested questions and comments from those in attendance. The following briefly summarizes the comments shared:

1. Concern was expressed regarding valuations and continually rising property taxes.
2. The sale study period to determine market values used for taxes payable in 2010.
3. What is the major property classification where rural vacant land is included?
4. What are the hours available to discuss individual property valuation and classification concerns?
5. Consider refinancing/refunding of existing debt to take advantage of lower interest rates.
6. How much is the County's debt load and the amount of interest that will be paid in 2010?
7. Consider cutting services and reducing costs instead of always increasing property taxes.
8. Forget the proposed tax levy and reduce the costs.
9. Are residents demanding more services and programs or are these programs being created by bureaucrats?
10. The commissioners were encouraged to slow the growth of government.
11. Concern was expressed for retired individuals and those on fixed incomes.
12. The commissioners were encouraged to oversee the bureaucratic spending.
13. The continued increase in property taxes is making it difficult for individuals to retain their property.

It was noted that the power point presentation would be made available to those individuals requesting a copy. It was also suggested and recommended to contact county administrative staff if you have specific questions relating to a particular parcel's market value, classification or property tax increase.

Letters from the following individuals expressing concerns with classification, valuation and property tax increase were received: Lorraine Flatau, Jason Ohmann, and Marcey Femling Schwarz

For the record, it should also be noted that the County Auditor's office received a call from Suzanne Kay Greenwood expressing concerns with the tax increase on her property in Girard Township. Ms. Greenwood had planned to attend the meeting to express her concerns, but was unable to attend and therefore called to express her concerns.

Wayne Stein, County Auditor, noted that the tentative plan is to adopt the final payable 2010 tax levy and payable 2010 budget at 1:45 p.m. on Tuesday, December 15, 2009, however, certification of the approved special levies from the Department of Revenue is necessary before the payable 2010 tax levy can be finalized; therefore, it might become necessary to move final action to a later date.

Everett Erickson, Chair, requested additional questions and comments from those in attendance. Hearing no other questions, concerns and/or comments, Everett Erickson, Chair, thanked those in attendance for their participation.

With no further questions and/or comments, Everett Erickson, Chair closed the Budget and Tax Levy Hearing and adjourned the reconvened meeting of the Otter Tail County Board of Commissioners at 8:05 p.m. The next meeting of the Otter Tail County Board of Commissioners is scheduled on Tuesday, December 15, 2009.

Dated: \_\_\_\_\_

OTTER TAIL COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
 Everett P. Erickson, Board of Commissioners Chair

Attest: \_\_\_\_\_  
 Larry Krohn, Clerk



**WARRANTS APPROVED ON 12/01/2009 FOR PAYMENT 12/01/2009**

<b><u>VENDOR NAME</u></b>	<b><u>AMOUNT</u></b>
A-1 ENGRAVING	63.07
A'VIANDS LLC	27.00
JANICE AABERG	106.49
ADVANCED ENGRAVING INC	42.50
AMERICAN COMMUNICATIONS INC	7,500.00
AMERICAN RED CROSS	37.50
BATTERIES PLUS	804.68
CITY BATTLE LAKE	1,421.70
BERTS TRUCK EQUIPMENT OF MHD I	7.91
BLUESTONE TECHNOLOGIES INC	1,006.50
BOB BARKER COMPANY INC	25.50
HEATHER BRANDBORG	46.92
BRAUN INTERTEC CORPORATION	95.00
BRETZ HARDWARE	17.92
BRIGGS CORPORATION	51.01
BR31 US BEARINGS & DRIVES	39.20
BUMBLEBEE GIBSON INC	18,555.00
CDW GOVERNMENT INC	1,272.64
COMMISSIONER OF TRANSPORTATION	3,142.58
COMPUTER INFORMATION SYSTEMS	17,000.00
COMSTOCK CONSTRUCTION INC	23,994.56
COOK'S	364.96
DACOTAH PAPER COMPANY	652.51
CITY DALTON	485.68
CITY DEER CREEK	952.68
CITY DENT	406.29
CITY ELIZABETH	583.75
CITY ERHARD	345.58
FERGUS FALLS MEDICAL GROUP	5,900.00
CITY FERGUS FALLS	5,814.36
FERGUS POWER PUMP INC	161.25
FERGUS TIRE CENTER	543.38
FIRST LUTHERAN CHURCH	3,159.00
FOTH & VAN DYKE	11,183.52
GALL'S INC	142.71
GENERAL PARTS LLC	156.72
JACE GILBERTSON	169.95
GOVERNMENT FINANCE OFFICERS AS	205.00
NICOLE HANSEN	113.48
HEDAHLS HEADQUARTERS	4.79
CITY HENNING	1,611.15
HONEYWELL	1,525.14
JJ'S COMPANY EXCAVATING LLC	380.00
JK SPORTS	211.50
KELLY SERVICES INC	276.50
LAKE REGION DENTAL CENTER	124.00
LAKE REGION HEALTHCARE CORP	1,397.17
LAWSON PRODUCTS INC	405.18
LEITCH EXCAVATING	4,659.00
LOCATORS & SUPPLIES INC	20.51
LYLE'S WELDING & REPAIR	2,045.00
MARCO INC ST LOUIS	232.06
MARK AND BRENDA CONSTRUCTION I	680.00
STEWART MENSING	128.20
MN CO INSURANCE TRUST	2,500.00
MN STATE AUDITOR	2,791.95
MOORE MEDICAL LLC	961.48

OTC Board of Commissioners' Minutes  
 December 1, 2009  
 Attachment A, Page 2

ELDON MOREY PHD	420.00
NAPA FERGUS FALLS	6.62
NARDINI FIRE EQUIPMENT	1,329.41
NEIL DORNBUSCH & ASSOCIATES	1,736.72
NELSON BROS PRINTING	120.20
CITY NEW YORK MILLS	1,335.62
OFFICEMAX INCORPORATED	63.74
OTIS ELEVATOR CO	113.04
OTTER TAIL CO EMPLOYEES COMMIT	153.00
OTTERTAIL TRUCKING INC	7,660.00
CITY PARKERS PRAIRIE	642.13
PELICAN RAPIDS PRESS	210.00
CITY PELICAN RAPIDS	2,451.20
PENROSE OIL COMPANY	1,923.75
PEPSIAMERICAS	453.87
PERHAM CO OP CREAMERY	367.14
CITY PERHAM	3,618.99
PITNEY BOWES	1,435.00
PRODUCTIVE ALTERNATIVES INC	84.28
QUARTERMASTER	126.83
RDO EQUIPMENT CO FARGO	3,393.28
RDO TRUCK CENTERS	1,147.19
RELIABLE OFFICE SUPPLIES	162.74
THE RENTAL STORE	42.75
CITY RICHVILLE	527.71
CITY ROTHSAY	518.37
VICKI SCHWANKE	55.00
SECRETARY OF STATE	200.00
SEEBA'S SHOP	209.11
SIMPLEXGRINNELL LP	635.91
SOUTHTOWN C-STORE	287.54
SPRINT	662.70
SRF CONSULTING GROUP INC	2,217.30
STEINS INC	1,349.11
STOLPMAN LAW OFFICE	842.00
STRATEGIC EQUIPMENT	37.67
SUPER SEPTIC & EXCAVATION	150.00
TRADEHOME SHOES	39.99
TRANQUILITY BUILDING SERVICES	454.22
TRIMIN SYSTEMS INC	2,505.99
CITY UNDERWOOD	546.39
UNIFORMS UNLIMITED	99.95
CITY URBANK	625.78
CITY VERGAS	873.29
WEST GOVERNMENT SERVICES	84.70
WHITE BANNER UNIFORM SHOP	119.00
JAMES WILKUS	14,395.00
<u>ZACK JONES &amp; MAGNUS</u>	<u>90.00</u>
**** FINAL TOTAL.....	<b>\$183,076.36 ****</b>